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July 26, 2018

Via ECF

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)

Dear Judge Netburn:

I write on behalf of Defendant Dr. Abdullah Omar Naseef, to seek leave to file his physicians' declaration under seal.

This Court directed Dr. Naseef to file "a competent sworn or affirmed certification from a qualified treating physician identifying the specific medical issues that have prevented the defendant from participating in the discovery process." *See* Order, at 17 (ECF No. 4043) (July 6, 2018). Dr. Naseef's counsel have now obtained the required declaration. However, as it contains confidential medical information about Dr. Naseef's medical condition, his counsel respectfully requests that it be filed under seal, pursuant to Rule 5.2(e), Fed. R. Civ. P., and Local Civil Rule 5.2, Committee Note ("parties should consider whether the letter contains information about settlement discussions or personal information (including medical information regarding a party or counsel) that should not be in the public file"), in order to prevent the public dissemination of that personal medical information. Counsel can provide your chambers with a copy of that declaration for *in camera* review, if desired.

Therefore, Dr. Naseef respectfully requests that your Honor enter an Order allowing the sealed filing of Dr. Naseef's physicians' declaration.

The Honorable Sarah Netburn
November 28, 2017
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Respectfully submitted,

/s/ Alan R. Kabat

Alan R. Kabat

cc: All MDL Counsel of Record (via ECF)